



The JOURNAL

SPRING - SUMMER 2023

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Term Expires 7/2027

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Spokane
Term Expires 7/2025

Aaron Blaisdell, PLS
Snohomish
Term Expires 7/2025

Nirmala Gnanapragasam,
Ph.D., PE
Seattle
Term Expires 7/2023

Marjorie Lund, PE, SE
Seattle
Term Expires 7/2026

Ivan VanDeWege, PE
Battle Ground
Term Expires 7/2024

James Wengler, PLS,
CFedS
Port Angeles
Term Expires 7/2024

Ken Fuller, PE
Director

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Message from the Chair: “What ARE our Practices?”

OPINION, by Doug Hendrickson, PE, Board Chair



In many engineering and land surveying circles, we often have discussions about regulation, society and practice. In our positions as Board members and I as Board Chair, we have a unique opportunity to further define and improve our profession in Washington State.

Let’s use the “way-back” machine, to specifically think about RCW 18.43, the top rung statute in Washington regarding engineering and land surveying. Its rules and regulations are direct descendants of Chapter 167 of the 1935 Session Laws of Washington.

While these laws from 88 years ago are organized differently, they still have the same content and application as today, for defining practices and practitioners.

However, the 1935 Session Laws do *not* explain “why.” The lawmakers certainly had a reason, but simply did not codify it. That shortfall is resolved in today’s general provisions of RCW 18.43 with “In order to safeguard life, health, and property, and to promote the public welfare...”

That RCW explains registration in the practices of engineering and land surveying and that the professional practitioner must be registered.

This “why” is the society part of my discussion. RCW 18.43 does *not* say “In order to assure good incomes and prosperous businesses for engineers and surveyors, we are establishing monopolistic entitlements...”

Instead, the objectives are safety and service to others, using the power of the State for enforcement. RCW 18.43 provides the bedrock, for which the public trusts our professions and professionals.

It’s true, there are provisions for unlicensed practice, but they are the exception. The objective remains to provide the assurance our registrants are educated, experienced and qualified. Public safety is paramount.

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Respected Board Member Retiring

by Greg Schieferstein, Communication and Outreach Manager

This July, Nirmala Gnanapragasam, PE, Ph.D., is completing a ten year appointment to the agency’s Board. More specifically, it’s been two, five year appointments. Over this past decade, she has forged many friendships and built a circle of respect. She will be greatly missed



Gnanapragasam

by Board members, agency staff and many others.

She was born and raised in the island nation of Sri Lanka. Her father was a respected CPA and her mother oversaw the household, including Nirmala and two older siblings. One is now a

physician in England and the other, a professor of cancer research at Harvard University.

Nirmala was excellent at math and science and in the top 7% of government exams, meaning she was selected to pursue engineering in college. Nimmy, as she is better known, earned a bachelor’s degree in Civil Engineering, with first class honors from the University of Moratuwa, Sri Lanka in 1985.

However, Sri Lanka was tearing itself apart in a civil war, which was quickly getting worse. Nimmy and her husband escaped, traveling to the U.S., where they both furthered their engineering education at Northwestern University. Nimmy earned both a Master of Science (1988) and a

Ph.D. (1993) in Civil Engineering. Somewhere along the way, Nimmy discovered she not only has a passion for engineering but, teaching as well.

Upon completion of her Ph.D., she was hired in 1993 as an Assistant Professor by Seattle University, where she has taught ever since. She was promoted to Associate Professor in 1998.



Son with Nimmy, 1993

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Exam Updates



The NCEES Structural 16 hour exam is converting from a paper and pencil exam testing format into a computer based testing format (CBT). The last paper and pencil administration will be October 26th and 27th, 2023 with the April 2024 administration to be delivered in the CBT formats. This is the last of the 38 NCEES engineering and surveying licensing exams to convert to CBT formats. NCEES stated the exam transition project is on schedule and committed to a go/no go decision date of November 1, 2023 to execute a contingency plan if the exam conversion to CBT is delayed.

The new CBT PE Structural Exam will be delivered in 4 sections requiring the applicant to plan 4 separate exam days at a Pearson Vue computer testing center. The four sessions will cover the same knowledge base for the breadth and depth of both vertical and lateral forces, same as the current 16-hour exam. The breadth sections will be multiple choice problems and are expected to be available year round. The depth portions, which currently require written constructive responses, which will include multi-choice/multi-correct, drag and drop, point and click and fill in the blank question types, will be administered twice every year. Applicant's passing scores from the paper and pencil exam components will be valid and transferable to the associated sections of the new CBT exam. All reference materials will be provided to the examinee electronically for all sessions.

Additional information about the Structural CBT process and examples of the test format are available on NCEES's [web page](#). We will keep you informed as it develops.

Divisional PLS Exams

By Aaron Blaisdell, Board Member, PLS



As a member board to the National Council of Examiners for Engineers and Surveyors (NCEES), our Board is becoming more involved in the direction of licensing across the country. One way to get involved, is actively participating on one of the many committees. Along with other board members from multiple states, I have been working on the EPS committee. The Committee on Examinations for Professional Surveyors (EPS) supervises the preparation of exam specifications and is responsible for the content and scoring of all Fundamentals of Surveying (FS) and Principles and Practice of Surveying (PS) exams.

The current committee was assigned four charges and held one virtual meeting and one in person meeting at the NCEES headquarters in Greenville earlier this year in January. The majority of this year's charges centered around maintenance of the exam, but with one exception; bringing closure to the Council's 2017 Motion to finalize the review, evaluation and implementation of Divisional Exams. Since that 2017 motion, there have been discussions, meetings and thorough study surrounding the potential of four separate (divisional) exams that would make up the national PS Exam.

The four separate exams would potentially be the following: Core Principles of Surveying, Public Land Survey System (PLSS), Mapping Science and Incidental Drainage. This latest study, appropriately named the Professional Activities and Knowledge Study (PAKS), was based on a questionnaire for the national PS exam and it was very important for surveyors across the entire nation to respond. The questionnaire was directed to all licensed surveyors in all states and territories. NCEES, and the licensed surveyors assisting NCEES on the EPS committee, worked very hard to design the study so that the entire questionnaire would take no more than 30-45 minutes to complete. It was equally important for the results to clearly represent the surveying practice from all over the nation, not just Washington. Once the results are verified, a recommendation will be made by the committee as to the future PS exam structure. The results of the PAKS will assist in developing the format of the national PS exam and what content is to be included. It's too early to say whether the four divisional exams will be the future of the national PS exam, so stay tuned. Regardless, the exam process and the exam itself needs to be defensible and broadly evaluate a licensing candidate at the national level, not just the state level.

Why is this important for Washington licensure? Currently, our state exam, which is a required component to become licensed as a Professional Land Surveyor, is also used to evaluate a candidate's competency here in Washington. The Washington state-specific Land Surveyor's exam is now four (4) hours and is given twice a year and contains forty (40) multiple choice questions over six subject areas. Between the current national PS exam structure and the state-specific exam, the candidates are adequately being evaluated. The two exams work in harmony with one another. Some subject areas are unique to our state but some are consistent with surveying practices across the country. Our involvement on the national EPS committee is one way that we can ensure the two surveying exams are relevant and meet the needs in Washington. As surveying practices and knowledge areas change, these exams need to also be evaluated and likely updated to continue to protect the health, safety and welfare of the citizens of the State of Washington.



Respected Board Member Retiring - continued from page 1

Nimmy specializes in geotechnical engineering, within the civil engineering discipline. However, she especially enjoys the first year class. "I see them in first semester and often nurture them through their capstone project experience," she explains. "It's wonderful, seeing them become passionate about engineering." Nimmy says by their final year, students are typically more engaged and asking about state laws and rules in engineering licensure.

Two former Board members who served with Nimmy, agree she is a great person. "I'm always impressed by how well prepared and detailed she is with her teaching," says Chun Lau, PE, SE, who guest taught at SU several times. "Her students are well prepared through education, experience and exams." He adds that students speak very highly of SU and Nimmy especially. While she has served as the senior design coordinator of Civil Engineering at SU, the university has consistently won national NCEES awards in engineering. Chun exclaims, "It became routine, walking to the awards ceremony!" Stephen Shrope, PE, SE, was a fellow Board member with Nimmy. He says she volunteers for the more difficult assignments. "She settled in as a leader, a guide. It speaks to her personality and abilities." Steve says she quickly became a valuable board member, "She was a delight to work with."



Nimmy at SU

Just over a decade ago, Board Executive Director George Twiss, came to SU for an NCEES award presentation. He encouraged Nimmy to apply for a Board position, which she did and was appointed by the governor. Even before she was appointed to the Board, she read many editions of *The Journal*, cover to cover, to get more familiar with Board activities. Nimmy says one of her most memorable experiences, was serving as a Presiding Officer at a hearing.

Shanan Gillespie is the Regulatory Program Manager for the agency. She says Nimmy has a "dedication to rule making and makes sure we follow through." Nimmy agrees, saying she very much enjoys working on WACs and revisions.

Last summer, Nimmy began a yearlong sabbatical from SU. She's been studying, reading and doing something different: learning to play a musical instrument, a Saraswati Veena. She has a music teacher, who teaches by Skype from India. Nimmy explains all this has helped her feel "rejuvenated." She also has greatly enjoyed more time with her husband and two sons.

As refreshing as the sabbatical has been, it will be ending soon. While Nimmy loves teaching engineering, she expects to retire from SU in the next four to five years.

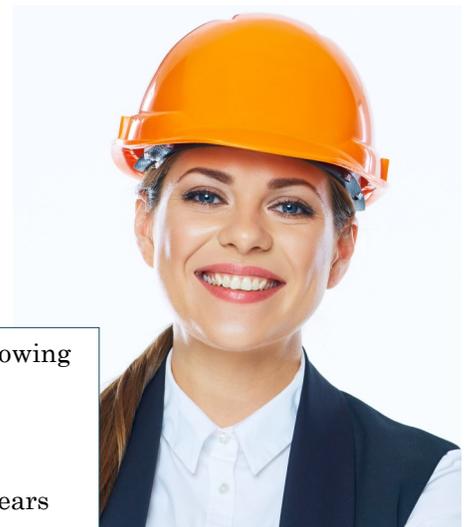


Saraswati Veena

Do you know someone who would make a great Board member?

With a retirement this July, The Board has an open seat for a professional engineer.

- Must be actively engaged in the practice for at least ten years following registration, five years just before appointment
- Must be a US citizen
- Must be a resident of Washington State for at least the last five years



The Governor's office accepts applications throughout the year and considers all eligible candidates for upcoming vacancies. The application and instructions are on the Governor's website [here](#).

The Governor's office typically reviews applications in May, with a decision in June or July. Board members and agency staff do not directly screen applicants. However, they may suggest what experience is needed to keep the Board as diverse as possible.

For questions, please contact Ken Fuller, PE, Director, at ken.fuller@brpels.wa.gov

Message from the Chair

“What ARE our Practices?” *continued from page 1*

What we practice is broad. In terms of rules and enforcement, it's much easier to point to what we should *not* do.

One somewhat reverse example with the code for survey, is that failing to do some things constitutes a misdemeanor.

Despite that oddity, I believe that all the other “shall nots,” are expansions of the Engineer’s Creed of “I pledge ... to participate in none but honest enterprise.” While we work with other professionals and non-professionals, we must balance our work to promote safety and the public welfare, doing so honestly.

In the crossroads of statute, regulation, society and professional practice, let’s remember our commitments and representation before the public. Recent professional practice issues in Washington and other states have questioned who may practice, what is our professional practice and the authority of licensing bodies to license and enforce.

As the Chair and a member of this licensing body, I am committed to serving our citizens and assuring public faith and confidence in our professions. Although I have noted that our rules have not substantially changed in these terms, we must remain flexible and able to evolve, in the form of regulatory change or recommendations for statutory change.

Soon, our agency will actively seek your input on how our professions may better safeguard life, property and promote public welfare. For example, we have recently supported legislative change which would aid cross-state licensure. We are also examining regulatory clauses which have been applied in enforcement of unlicensed practices and which may obscure our definition of the practice of the profession. Please be an active participant in upcoming surveys and meetings to discuss the path forward.

If you want more information on the current laws and rules discussed here, please visit the hyperlinks below.

Statutory References: [RCW 18.43](#), [RCW 18.43.010](#), [RCW 18.43.020](#), [RCW 18.43.120](#), [RCW 18.43.130](#), and [RCW 18.43.180](#); [RCW 18.235.110](#)

Regulatory references: [WAC 196-12](#), [WAC 196-16](#), [WAC 196-27A](#), and [WAC 196-29](#).



Engineers' Creed (2021)

As a Professional Engineer, I dedicate my professional knowledge to the advancement and betterment of public health, safety, and welfare.

I pledge:

To give the utmost of performance.

To participate in none but honest enterprise.

To live and work according to the highest standards of professional conduct.

To place service before profit, the honor and standing of my profession before personal advantage, and the public welfare above all other considerations.

In humility, I make this pledge.

Outreach & Education

LSAW 2023 Conference, Spokane

By Rich Larson, Deputy Director, PLS



Two Board Members presented at this year's Land Surveyors Association of Washington Conference in Spokane. JAMES WENGLER, PLS, CFedS and ARRON BLAISDELL, PLS spoke to about 45 surveyors, on February 15th at the Davenport Grand Hotel.

As a staff member, I review complaints against Professional Land Surveyors and have noticed a trend in not following WACs in preparing final maps for recording.

Our presentation included the three biggest areas of violations:

- WAC 332-130-050(1)(b)(iii) – basis of bearing
- WAC 332-130-050(1)(f)(ii) – meas vs. record
- WAC 332-130-020(11) – intelligent interpretation



Aaron discusses surveying

We also reviewed Law and Rule changes, including chapter 196-25 BUSINESS PRACTICES

Changes to WAC 196-25 were necessary because of updates to RCW 18.43.130 in 2019. Changes clarify requirements for licensure and reflect current licensing processes. Updated language includes:

- Definitions updated and outdated definitions deleted
- Requirement for businesses to be licensed through Dept. of Revenue (before 2019 change to RCW 18.43.130)
- Clarification language about corporation/LLC renewals & designees



Jim answering survey questions

The presentation also included some helpful steps, for renewing your professional licenses online:

- You'll need a SecureAccess Washington (SAW) login to renew online; if you don't have one, create it before you start your renewal
- Under services, click on "Board of Registration for Professional Engineers and Land Surveyors"
- If your account is not already linked, you must link your existing professional license; but this does not require an activation code, so verify your contact information and update it online
- Be prepared to answer questions and provide documents, if needed
- Additional questions see the FAQ Professional License Renewal, click [here](#).
- If you have trouble getting your Professional Business online, call the agency office at 360.664.1575

Building Engineers Meet with Board Member and Director

Staff Report



Board Member MARJORIE LUND, PE, SE and Agency Director KEN FULLER, PE were guest speakers at a December 1st virtual meeting of building officials, through the City of Bellevue, eCityGov and MyBuildingPermit.com.

Marjorie discussed our agency's role in licensing and settling complaints, while Ken spelled out our approach with increased education and counseling. There were many questions from the 48-member group, for example, what qualifications are required to review single-family plans for a remodel or addition?



Marjorie explained her opinion, that an unlicensed plan reviewer can comment on plans and calculations while under the direct supervision of a licensed engineer. She said focusing on code compliance review comments are not considered engineering practice. However, if comments are directed to analysis or engineering judgment, the reviewer should work under a licensed engineer. She pointed to the WABO/SEAW White Papers as an excellent guide, for this and other questions, click [here](#).

Discussions continued, regarding "peer review" as a separate report and the importance of not marking stamped drawings without review by the professional whose seal is on the drawings. Other attendees shared a concern of out of state mechanical engineers licensed in Washington State, but not following energy codes. Additional thoughts were expressed about requiring licensees to be familiar with our state-specific codes. Thanks to Gregg Schrader, City of Bellevue Building Director, for hosting the event.



Outreach & Education

On-Site Designer Workshop Staff Report

It was a packed house for an agency presentation, at this year's "Septic-Con" at the Tacoma Convention Center, January 27th and 26th, 2023.

Three representatives presented at the event, Subject Matter Experts (right) RICK WILKERSON and ROBERT SUGGS were joined by Staff Member RICH LARSON, for an "On-Site Wastewater Update."



They discussed designer application verification endorsements and rules for professional development and investigations. About 65 people attended, mostly designers from the Puget Sound area. Septic-Con is held each year, by the Washington On-Site Sewage Association. Next year's event will return to the convention center, February 2nd, 2024.



Licensing Update - WAC 196-12 Staff Report

A request for changes to WAC 196-12, is required to compliment the Washington State Legislature's passage of SB 5283. SB 5283 authorizes the Board to waive the fundamentals exams for currently licensed PE or PLS applicants applying for a professional reciprocal license in Washington State. Changes to WAC 196-12 will clarify the processes and requirements for comity applicants applying for this waiver.



New Agency Vehicle Staff Report



Our agency has a new edition for 2023. We have a new vehicle for the agency and staff travel.

It is a 2023 Ford Expedition, which will be used primarily for outreach, education and investigation programs. It also will be used for travel to various meetings.

Those programs often require travel throughout the state, year round.

Reputation Management

Preventing Customer Disputes

By Mitch Duryea, PLS



Many small businesses started with a goal to minimize bureaucracy and paperwork found in larger firms and public agencies, to focus on “getting the work done.” A common victim of this goal is the Written Contract for Professional Services. The Board of Registration and its staff have seen an increase in the number of complaints about professionals. Many of these complaints could be resolved if there was a properly executed Written Agreement. While other states require a documented agreement for services, Washington does not ([WAC 196-27A-020 \(2\)\(b\)](#)).

It is important to understand that regardless of the size of the firm, a properly constructed Written Contract can protect the licensee. The goal of the Contract is to provide clear communication between the licensee and their client to complete a successful project. The contract needs to be in place prior to any work being done.

A Contract for Professional Services does not need to be complex. A contract can be as short as one page. However, there are some basic features that should be included and there are resources available to develop your own Contract that fits the provider. A contract is necessary to establish the roles of the licensee and the client, and address remedies if the project does not go as planned.

A Contract for Professional Services should, at a minimum, contain the following five elements.

- 1) Define the parties: Include the full and legal names of both the professional and the client.
- 2) Define the Scope of Work. The Scope of Work (provided services) needs to be clear, concise, and specific. The role of the client also needs to be defined. Define the deliverables and proposed time frame for completion.
- 3) Define Compensation. What are the charges, given the identified scope of work. Include the party responsible for payment and the time frame for payment.
- 4) Define remedies if the relationship is broken. Include termination of the contract and transfer of the contract. Identify the jurisdiction of the laws for the dispute. Limit of Liability needs to be included.
- 5) Define what happens if there are changes to the Scope of Work. Use a Change Memo type of document to identify a change in the services or additional services to be provided.

There are other items that can be included, such as ownership of work products, length of the agreement, penalties for non-payment of invoices, etc.

There are many resources available to the licensee to prepare a Written Contract Format. SCORE (Service Corps of Retired Executives) has numerous resources for use including workshops, seminars and in depth articles (www.score.org). Your Professional Liability Insurance provider will be able to provide assistance including reviewing your contract to ensure that items are not included that could void your policy. There are templates and examples available from different state associations. There are of course, private consultants that can create standard forms for you.

Remember, a Written Contract is beneficial, not only to the licensee, but to the public that we serve.

Managing Social Media Reviews

Staff Report

- Develop policy to address all comments
- Avoid deleting negative comments
- If negative, stay calm, but respond quickly
- Post public, professional response
- Acknowledge customer concern; offer solution



Survey Exams

Exam Question Review

By James Wengler, Board Member, PLS, CFedS



The Professional Land Surveyor (PLS) Subject Matter Experts (SMEs) review workshop was held both in Olympia and virtually, on February 2-3.

The meeting completed the review of previously written questions which resided in our item bank.

The questions were first mapped to the appropriate domain, subdomain and knowledge area, which were previously determined by another group of SMEs who performed a Job Task Analysis (JTA).

The SME's evaluated each question for relevancy and clarity and the answers for correctness. The incorrect answers were also reviewed to determine if they were good distracters.

The answer and where it can be found (reference) was documented with each question along with the date and the SME's that participated.

If the question was ambiguous it was rewritten by the group. If the question was out of date or tested other than minimum competency, it was removed from the item bank.



Once the questions and answers were acceptable to the group, an Angoff score was applied to the question. This method uses the (SMEs), who are asked to evaluate each item and estimate the proportion of minimally competent examinees that would correctly answer the item.

The next step in the process is to gather a new set of SME's to beta test the exam before the questions make it on to a new exam form.

I would like to thank the PLS SMEs for their help in the February meeting.

(from left) JON WARREN, RICH LARSON, JIM WENGLER, BILL VERNON, CHRIS BROWN, (not pictured) TOM BARGER, JUSTIN HOLT and TIM KENT.

Deputy Director Retiring

By Greg Schieferstein, Communication and Outreach Manager

Deputy Director RICH LARSON, PLS, announces his upcoming retirement, from his position with the Washington State Board of Registration for Professional Engineers and Land Surveyors. Rich has served in the position for almost 3 years, beginning in July of 2020.

"Rich has been instrumental in helping in our transition to our own agency, after we left the Department of Licensing," said Agency Director, Ken Fuller, PE. "Rich has a long list of accomplishments," he continued, "setting up our office, expanding outreach, building agency contacts and assisting investigations."

Rich says he will miss the people in his daily work, but looks forward to retirement. "I have several projects to keep me busy, including work on my property, survey consulting and my music."

As Deputy Director for the agency, Rich has provided management support, guidance on applying state statues, rules and policies on engineering, land surveying and On-Site practice. He also supported staff with exams and investigations.

Rich's last day will be at the end of May.



Rich Larson, Deputy Director, PLS

Education

A Pathway for Young Engineers

Staff Report

Agency Director, KEN FULLER, PE, recently had the opportunity to speak directly with engineering students at Saint Martin's University in Lacey.

Ken explained the pathway ahead and best choices for success in their career.



Students were strongly encouraged to take and pass the Fundamentals Exam before graduation (many do), to get them on the right track and eventually, taking and passing the Professional Engineer license.



Ken Fuller, Director, PE

He spoke to about 18 students, many juniors and seniors, on Wednesday, March 22nd.



Saint Martin's
UNIVERSITY

National Society of Black Engineers

Meet Favour Nerrise, a bright, aspiring engineer, completing a Ph.D. in Electrical Engineering.

[View the Article](#)

[CNBC Website](#)

[Find Connection](#)

[Local NSBE Chapter](#)

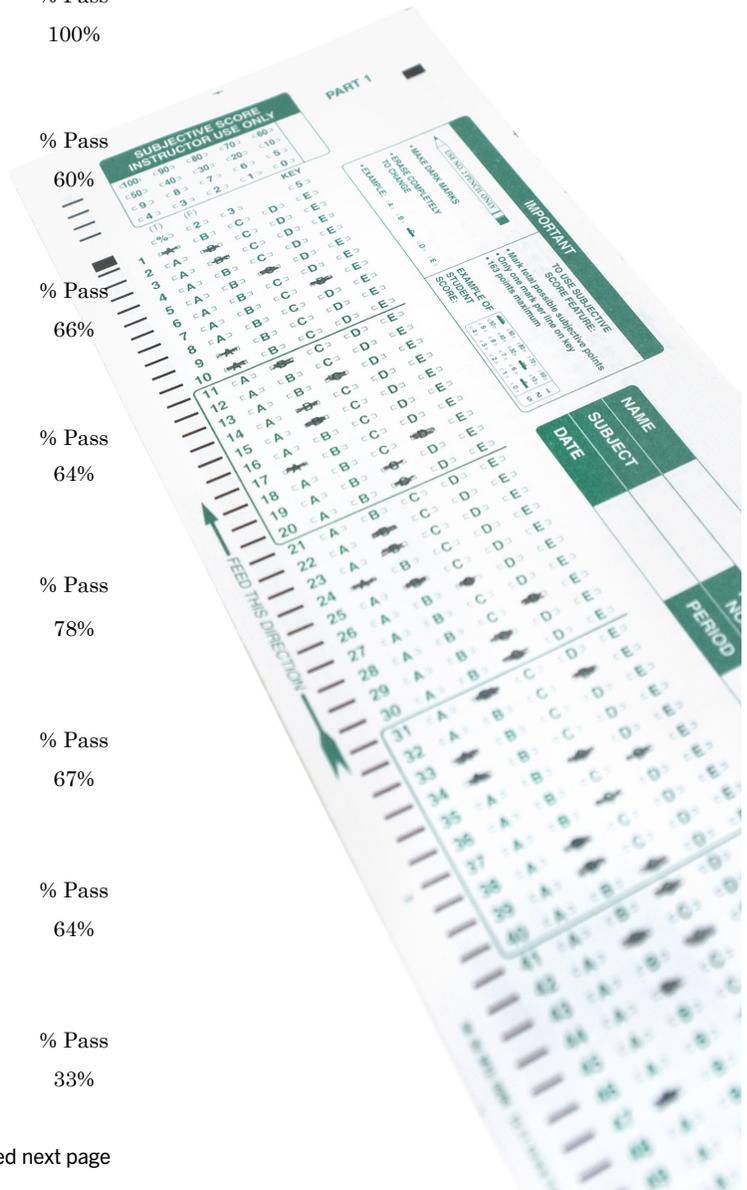


[NSBE Convention Highlights](#)

[Twitter](#)

Exam Results

FE - CBT October 2022 - Dec 2022	Total	Pass	% Pass
Oct 1, 2022 - Jan 1, 2023	217	125	58%
Jan 1, 2023 - April 1, 2023	361	224	62%
FS Exam CBT	Total	Pass	% Pass
Oct 1, 2022 - Jan 1, 2023	11	7	64%
Jan 1, 2023 - April 1, 2023	12	6	50%
PS Exam CBT	Total	Pass	% Pass
Oct 1, 2022 - Jan 1, 2023	3	1	33%
Jan 1, 2023 - April 1, 2023	9	4	44%
PE Exam			
Oct 2022 - April 2023			
Architectural (building systems)	Total 1	Pass 1	% Pass 100%
Chemical	Total 5	Pass 3	% Pass 60%
Civil	Total 118	Pass 78	% Pass 66%
Control Systems	Total 11	Pass 7	% Pass 64%
Environmental	Total 9	Pass 7	% Pass 78%
Fire Protection	Total 6	Pass 4	% Pass 67%
Mechanical	Total 42	Pass 27	% Pass 64%
Naval Architecture/Marine Engineering	Total 6	Pass 2	% Pass 33%



continued next page

Exam Results

SE Exam - Oct 2022

16 Hr Structural

Lateral Forces Bridges

Total
6

Pass % Pass
1 17%

Vertical Forces Bridges

Total
5

Pass % Pass
3 60%

Lateral Forces Buildings

Total
33

Pass % Pass
11 33%

Vertical Forces Buildings

Total
30

Pass % Pass
16 53%

On-Site Designer

March 2022

Total
11

Pass % Pass
7 64%

September 2022

Total
6

Pass % Pass
6 100%

March 2023

Total
4

Pass % Pass
3 75%

On-Site Inspector

March 2022

Total
14

Pass % Pass
4 29%

September 2022

Total
20

Pass % Pass
4 20%

March 2023

Total
17

Pass % Pass
10 59%

WA St Specific 4hr Land Surveyor

March 2022

Total
27

Pass % Pass
15 56%

September 2022

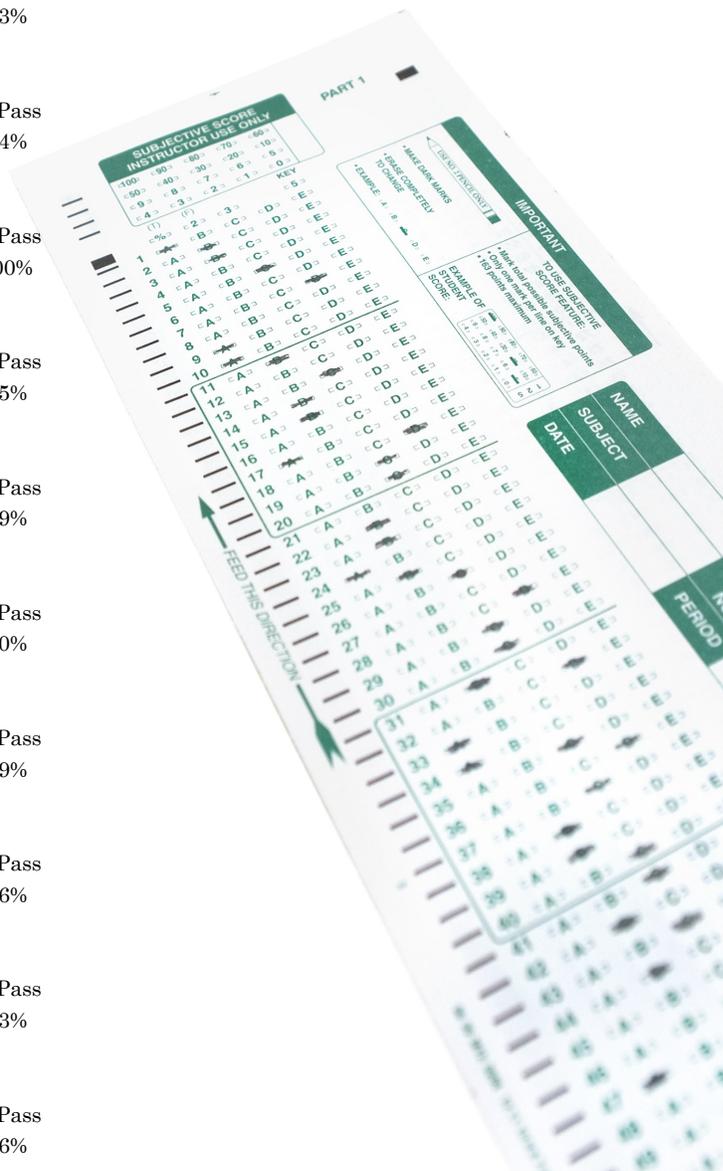
Total
30

Pass % Pass
16 53%

March 2023

Total
27

Pass % Pass
15 56%



Investigations and Enforcement

The following case summaries cover the disciplinary actions against licensees from December 2022, through April 2023. In each disposition the Board accepted the recommendations of the Case Manager, unless stated otherwise. For those cases involving a Board order, each licensee may be monitored for compliance with the conditions imposed in the order.

The summary information provided under “INFORMAL ACTIONS” is provided to educate licensees on events and circumstances that come before the Board for investigation. In those cases, no disciplinary action is taken because either the allegations are unsubstantiated, fall outside the scope of jurisdiction of the Board or it becomes unnecessary because of corrective measures taken.

Any investigations that reveal clear and convincing evidence of wrongdoing, and where a Board Order is issued, will be listed under “FORMAL ACTIONS.”

The decisions of the Board members who work as Case Managers of the investigations are based upon their professional opinions of the severity of the infraction and the best course of action to take to appropriately resolve issues. Interpreting any one or several dispositions as indicative of the Board’s view of how all such cases will be handled in the future would be incorrect. These summaries are not intended to disclose complete details related to any given investigation or action. While every effort is made to ensure accuracy of the information shown, anyone intending to decide based upon this information should contact the Board office for more details. Finally, these summaries do not include cases that were closed during administrative review.

Complaint Summary by Profession

Jan to Apr 2023 Complaints	Filed	Closed	Active
Professional Engineers	8	6	2
Professional Land Surveyors	12	3	9
On-Site Designers	1	1	0
Unlicensed Engineers	0	0	0
Unlicensed Land Surveyors	3	2	1
Unlicensed On-site Designers	0	0	0

Formal Actions by the Board

Unlicensed Land Surveying

Kent Huxel

2021-08-2070-00LSV/2022-10-1445-00LSV

This investigation was opened based on a complaint alleging an individual, Mr. Kent Huxel was practicing professional land surveying without a license. Mr. Huxel was doing business as Geomatic Precision Systems, LLC, and Kent Huxel Engineering. Mr. Huxel is not licensed to practice land surveying or engineering in the State of Washington.

Mr. Huxel signed a contract to perform land surveying services for a landowner and performed land surveying services under that contract.

Mr. Huxel affixed the seal/stamp/signature of a deceased professional land surveyor, Brian G. Raaum, to a survey he provided to the landowner. A search of King County Superior Court records found Mr. Raaum, was deceased at the time Mr. Huxel affixed the seal/stamp/signature.

On November 2, 2022, the Board issued a Temporary Cease and Desist Order. Mr. Huxel did not respond or request a hearing in a timely manner. On December 8, 2022, the Board issued a Permanent Order to Cease and Desist.

continued next page

Investigations and Enforcement

Formal Actions, continued

The Permanent Order to Cease and Desist ordered:

Mr. Huxel shall permanently cease and desist from the unlicensed practice of land surveying and engineering in the state of Washington.

Mr. Huxel shall not represent himself or his business to current or potential clients or the public, as being able to provide and/or perform professional land surveying or professional engineering services in the State of Washington. This includes: making any statement, directly or indirectly, to any individual or to the public being able to provide and/or perform professional land surveying or professional engineering services, until they file a Certificate of Authority with the Board, distributing any advertisement or offering that suggests the Respondent's officers or employees can provide professional land surveying or professional engineering services and participating in any capacity in the dissemination of advice, estimates, suggestions or recommendation to any individual or the public where such remarks could be interpreted to convey the impression that its officers or employees are competent and conversant in the profession of land surveying or professional engineering.

Mr. Huxel shall not distribute to any client or public agency any document, including but not limited to letterhead, business cards, maps, or website references, which show either the firm, its officer, and/or employees, offering professional land surveying or professional engineering activities.

Pursuant to the terms of the Temporary Cease and Desist Order entered on November 2, 2022, the Board imposed a thirty thousand dollar (\$30,000.00 (U.S.)) fine against Mr. Huxel.

Informal Actions by the Board

December 2022—April 2023

Engineering

2022-10-1540-00ENG

This investigation was opened based a complaint alleging the respondent, a Professional Engineer and employee of the City:

- Acted unethically by falsely attempting to injure the prospects of Tract owners by intentionally breaching the City's contract with them after the City had obtained the benefit of the contract it desired.
- The respondent attempted to and did injure falsely or maliciously, the prospects of property owners in the subject plat, including the complainants, who contracted with the City to correct a defective plat and cure a hiatus area that had prevented them from developing their tracts. Under the respondent's direction and control, the City contracted with, and collected funds from, all similarly situated property owners to correct a plat and quiet title to a hiatus area.
- The respondent hired a surveyor knowing they would not correct the plat.
- The respondent purposely delayed court proceedings until the City had prepared plans and hired its contractor to build a new reservoir located in the plat, it planned to build in its rock pit adjacent to the complainant's property.

The respondent is an employee of the city as such is one piece of a much larger machine. The included documentation with the complaint did not support the allegations. The respondent was working under the direction of the mayor in good faith to attempt to complete the work needed to correct the subject plat. There was no unethical work or behavior shown in the documentation from the respondent.

The complaint alleges the respondent hired a surveyor that was specifically chosen because respondent knew the surveyor would not prepare a corrected plat. This allegation is fundamentally false. An estimate for the work needed to be performed was obtained by the complainant from the subject surveyor. It is clear through the email chain provided by the respondent, that the complainant was part of the selection process of the subject surveyor and was most likely played a dominant role in the selection of the subject surveyor.

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Investigations and Enforcement

Informal Actions by the Board, continued

The complainant also alleges the respondent purposefully delayed court proceedings and that the city only wanted to compete a quiet title, so that a reservoir could be completed by in the rock pit that is part of the subject plat. This is also false; the city did not need to obtain a quiet title to build the reservoir as they had access to the rock pit from a separate access road.

Finding no violation of laws/rules the case manager recommended the case be closed with no further action.

Land Surveying

2018-07-0004-00ENG

An investigation was opened based on a complaint alleging a licensed land surveyor had approximately 18 items on a survey that were in violation with Chapter 58.09 RCW, Chapter 196-27A WAC, and Chapter 332-130 WAC.

The respondent admitted to making errors on the survey due to rushing to get the survey completed due to a pending real estate closing. The respondent filed an Amended Record of Survey (AROS) correcting the errors.

Following successful remedial counseling with the respondent on the importance of following the appropriate laws/rules, the case manager recommended the case be closed.

2019-01-0005-00ENG

An investigation was opened following a complaint alleging the respondent, a licensed land surveyor, slandered the complainant (a licensed land surveyor) in an email the respondent sent to one of the complainant's clients.

The email referred to in the complaint appeared to be at minimum unprofessional conduct. The respondent attempts to get work by telling the potential client to hire him instead of the complainant. The respondent went into detail to explain his conduct. The complainant and respondent have a long history between them, but that history does not exempt the respondent from conducting business in an ethical manner. Both the complainant and the respondent were counseled on their business conduct.

The case manager recommended the case be closed following the remedial counseling.

2019-08-0007-00ENG

An investigation was opened following a complaint alleging the respondent entered the complainant's property despite repeated requests by the complainant for him to leave. The complainant showed the respondent two previous surveys which contradicted the location the respondent wanted to place his monuments. He told the respondent that the nominal width of his waterfront property is 40 feet, which he said the respondent wanted to reduce by 16 inches. Despite the demand to immediately exit the property the respondent placed his monuments on the bulkhead in contradiction with two previous surveys.

The respondent did perform a survey for the adjoining neighbor to the south. Based on the respondent's response to the complaint the monument between the complainant's property and the respondent's client's property to the south was set with permission from the complainant in the presences of law enforcement officials. The respondent explained to the complainant that it was necessary to set the monument on the seawall so that he can have reference to refute the survey if desired.

After thorough review of the existing surveys in the area it was determined that the same controlling monuments were not used to survey the complainant's property as were used by the respondent to survey the property of his client causing the so-called overlap.

The respondent recorded a new survey to provide clarity for the previously recorded survey. The AROS now contains a survey narrative that explains the complexities of surveying in the area and the different monuments and methods used by surveyors over the years.

The case manager recommended the case be closed following a letter of education to the respondent.

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Investigations and Enforcement

Informal Actions by The Board, continued

2020-11-1678-00LSV

An investigation was opened following a complaint alleging the respondent had set property corners in error. That error caused a dispute between the complainant and their neighbor regarding logging services. The complainant alleged those property corners set in error caused logging activity to be outside of the intended area and onto private property.

The survey field work was performed under the direction of the respondent prior to the logging activity. The respondent provided supporting information that explained the scope of his work for his client and the basis for his survey. He explained that multiple control points were set as part of his work and the points were physical markers identified as survey control points.

A preliminary survey map was provided to the Board by the respondent. This survey map indicated property corners and monuments placed as part of the work performed by the respondent. The survey also depicts roads and other physical improvements that also existed at the time of the survey. Aerial maps were also provided that depicted existing roads, dense vegetation (trees) and the recent logging activity. County GIS information was also reviewed to understand the approximate location of parcel lines in relation to the aerial imagery.

The case manager determined from the information the activity was performed by the respondent was only in conflict with the complainant's knowledge of common survey practices of marking the property corners with separate materials versus control point markers, which are used in the performance of conducting a survey.

The case manager recommended the case be closed with no further action and the board approved the recommendation.

2021-07-1835-00LSV

An investigation was opened following a complaint alleging a survey performed by the respondent did not match the legal description.

The respondent did perform a survey for the complainant and recorded it in the appropriate county. Following a review of the survey the case manager felt the survey lacked information required for the intelligent interpretation of the boundaries shown.

The respondent provided a preliminary amended record of survey (AROS). The AROS addressed the issues and the survey was filed by the respondent.

Following the filing of an AROS, the case manager recommended the case be closed. The board approved the recommendation.

2021-10-2540-00LSV

An investigation was opened following a complaint alleging the respondent's survey crew was allowed to enter his property to survey and adjoining property line but was specifically told not to show any information that was not a specific encroachment to the actual line. The complainant later saw the survey crew on his property and when he started to approach them, they left. The respondent then went out himself and located the driveway, put it on a survey map and recorded the map. The complainant disagrees with the respondent's recorded survey.

The respondent and his survey crew did enter the complainant's property but were given permission to do so by the complainant. The respondent did, on two occasions, record survey maps with the county that showed encroachments on the complainant's property. The case manager found no violation of the laws/rules pertaining to land surveying and recommended the case be closed. The board approved the recommendation.

2021-11-2979-00LSV

An investigation was opened following a complaint alleging the respondent incorrectly placed markers and did not base the survey on accurate information which subsequently caused conflicts between the complainant and the neighbors.

Survey field work was performed under the direction of the respondent at the request of the complainant in 2021. During the survey, the respondent found errors in the previous surveys by him or under his responsible charge in 2012 that were made for the neighbor's property. The respondent contacted the complainant and the neighbors to notify them of the error and the intended resolution.

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Investigations and Enforcement

Informal Actions by the Board, continued

When notified by the Board of the investigation, the respondent provided supporting information that explained the situation and the remedy. The respondent provided steps he has take to remedy the error, including hiring a third-party surveyor to conduct an independent survey.

The attorneys for the complainant, respondent and neighbor came up with a boundary line agreement (BLA) as a remedy. The BLA has been drafted and is just awaiting signature by the complainant, who has been contacted but does not respond.

The case manager recommended the case be closed since the respondent pursued corrective action.

2021-12-3201-00LSV

This investigation was opened following a complaint alleging the complainant contacted the respondent soon after he recorded a survey. The complainant believes the respondent incorrectly placed markers and did not base his survey on accurate information. The respondent did not contact the complainant back.

Survey field work was performed under the direction of the respondent at the request of the complainant in 2017. At the same time, the respondent was requested to perform a boundary survey of the complainant's neighbor property, as well.

When notified by the Board of the investigation, the respondent provided supporting information that explained the scope of his work for his client and the basis for his survey. He also explained that multiple unrecorded surveys were performed in the immediate vicinity by various surveyors resulting in confusion between found evidence of controlling monumentation and evidence of property corners placed by other surveys without being officially recorded.

The respondent provided copies of a preliminary survey map to the board that was generated to explain the marks that were placed in 2017 as well as the basis of resolution. He stated on his preliminary survey map that he did perform additional work on the recommendation from one of the other licensed surveyors in 2019. A copy of a transcript from a deposition he had made as part of the complainant's lawsuit was also provided.

It also appeared from the information provided that the respondent was more than willing to communicate to the complainant as to the basis of his survey; however, the respondent was unavailable due to a medical procedure when the complainant attempted to contact.

The preliminary survey was not recorded, and the respondent did not believe the results of the additional work was enough to amend the prior survey recorded in 2017.

It appeared from the information provided, the activity which was performed by the respondent conflicted with the complainant's knowledge of common survey practices of identifying occupation, conflicts between deed boundaries and differences in survey measurements depicted on his survey. The information provided supports the activity performed by the respondent and/or the field crew being supervised by the respondent in 2017 and 2019 and although there were slight variations in measurements from 2017 and 2019, the results depicted were made using professional judgement and evidence at the time of the survey.

Finding no violations of laws/rules the case manager recommended this investigation be closed with no further action.

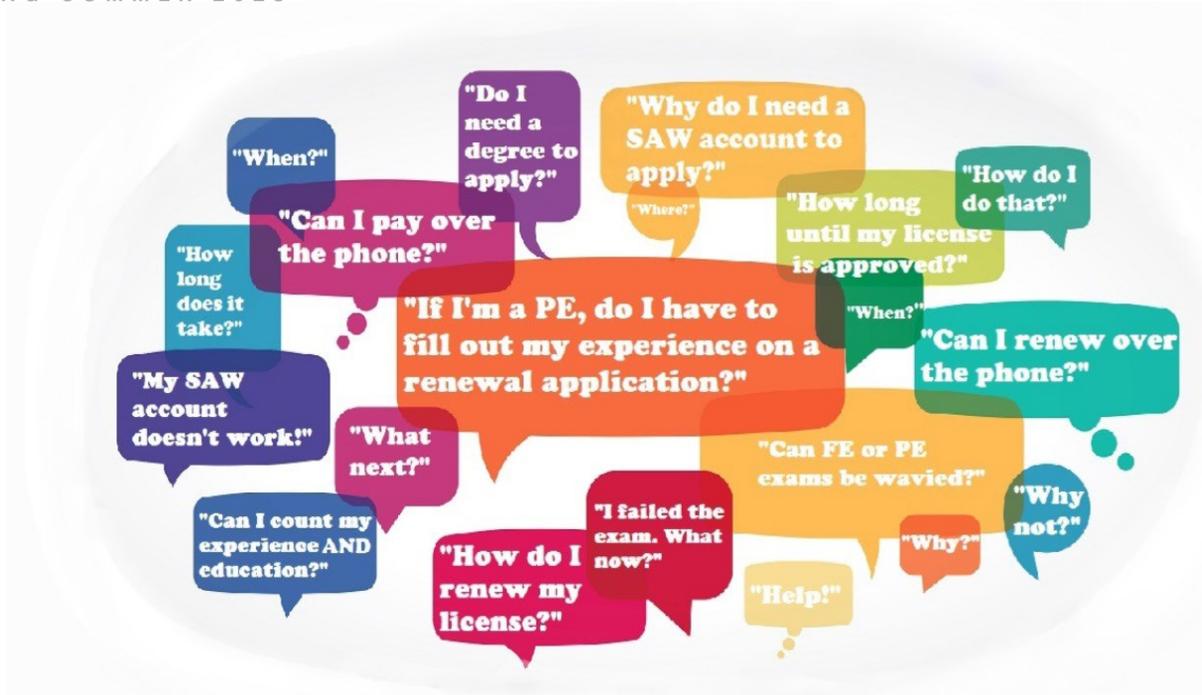
2022-07-1066-00LSV

An investigation was opened following a complaint alleging the respondent entered into a contract to perform a Short Plat for the complainant in February 2019. As of June 2022, the work was not completed, and the complainants were forced to hire another surveyor.

The respondent stated there were multiple reasons the project had not been completed. After being notified by the complainant they were moving forward with another surveyor, the respondent went through his records and noticed that several items were doubled billed. As a result, the respondent refunded the complainant that money and offered to compensate them for any amount over the original contract amount incurred by the new surveyor.

The case manager recommended this investigation be closed following a letter of education.

On-Site System Designing - none



Licensing Answers

Staff Report

You name it.

For every question, we have answers. Whether you're renewing a license, or applying for one.

Subjects like:

- > Professional License Renewal
- > Business Renewal
- > Fundamentals of Engineering Exam
- > Fundamentals of Land Surveying
- > Professional Engineer questions
- > Professional Land Surveyors questions
- > Structural Engineer by Exam or Comity

For example, let's take one of the most frequent questions we get: "How do I set up/manage a SAW account?" That's a "Secure Access Washington" account, essentially a secure "key" for you to access your account. The problem usually starts, because someone gets an error message, like "You have an inactive SAW account." That's probably because you have a duplicate SAW account. SAW *does* allow users to create more than one account under the same email address. It can cause problems. To prevent this, use the SAW "username reminder" to confirm which usernames are associated to your email address. Here's how to do that [here](#).

If you have a current SAW account but haven't logged in within the last 11 months or more, you likely will have to reset your password before you can log back in. If it's been longer than 24 months, you'll need to start over with a new SAW account.

You can find our license renewal info, along with how to set up your SAW account [here](#).

Chances are, answers to your other questions can be found on our FAQ page [here](#).

Still have a question? Send us an email at engineers@brpels.wa.gov.

We have answers, daily.



STATE OF WASHINGTON
Board of Registration for
Professional Engineers & Land Surveyors

Board Staff

Ken Fuller, PE

Director
360-664-1565
Ken.Fuller@brpels.wa.gov

Agency Director and Chief Executive Officer for Board operations. Manages overall staff and program budget. Oversees liaison activities between the Board, other state agencies and stakeholders. Provides guidance on application of statute, rules and policies on engineering, land surveying and On-Site practice.

Rich Larson, PLS

Deputy Director
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Provides support to the Director related to staff management, guidance on application of statute, rules and policies on engineering, land surveying and On-Site practice. Provides guidance to staff regarding exams and investigations.

Mackenzie Wherrett

Executive Assistant
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Executive Assistant to the Board. Coordinates all board meetings, minutes, and schedules. Office coordinator and planner.

Shanan Gillespie

Regulatory Manager
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Agency rule-making coordinator, records retention coordinator, public records officer. Supports the work of the Board's Executive and Survey Committees.

Jill Short

Investigations & Compliance Manager
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Supports the Practice Committee and manages investigations and board enforcement. Conducts engineering, land surveying and On-Site designer investigations. Tracks Board Order compliance.

This is a list of our staff and their responsibilities.
Please contact us whenever you have a question
or comment about your service.

Greg Schieferstein

Communication and Outreach Manager
360-664-1290
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External & internal communications, outreach and education. Manages website, Editor of *The Journal* and stakeholder relations.

Vonna Cramer

Licensing Specialist - Lead
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Supports the work of the Exam Qualification Committee of the Board. Provides guidance to applicants and licensing staff on application of statute, rules and policies on engineering, land surveying and On-Site designer/inspector practice as it relates to the licensing process.

Nghiem Pham

Licensing Specialist
360-664-1577
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Processes PE exam, PE initial license, SE exam, Professional Land Surveyor and On-Site Wastewater Designer/Inspector exam applications. Processes state specific PLS and OS exams. Processes refunds, renewals, license verification requests and answers general licensing questions.

Emily Weston

Licensing Specialist
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Processes PE comity, SE comity applications, EIT/LSIT exam and certifications and Corp/LLC applications. Processes refunds, renewals, license verifications and assists in general questions about the licensure process.



STATE OF WASHINGTON
Board of Registration for
Professional Engineers & Land Surveyors

Board Mailing Address (documents without payments)

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Board Mailing Address (applications or renewals with payments)

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Board Office Access

Our office is in a secure building and public access is not available without an appointment. If you have a scheduled meeting in our building, please follow the instructions posted by the two main entrances and call our staff. Someone will bring you to your meeting.



2023 Events Calendar

These are the Board’s planned meetings and participating events for 2023. Dates and locations are subject to change. **Committee & Board Meetings are TBD.** For more information including locations, dial-in information, agendas and meeting minutes visit [here](#) or email engineers@brpels.wa.gov.

<p>May 2023</p> <p>29 State Holiday (Office Closed)</p>	<p>June 2023</p> <p>19 State Holiday (Office Closed)</p> <p>21-22 Cmte. & Board Mtgs; Tri-Cities</p> <p>30 State Biennium year end, 2021-23</p>	<p>July 2023</p> <p>4 State Holiday (Office Closed)</p> <p>31 SE Exam Registration Deadline</p>
<p>August 2023</p> <p>2-3 Cmte. & Board Mtgs; Sea-Tac</p> <p>15-18 NCEES Annual Meeting, Boston</p> <p>25 State Specific Exam Application Deadline</p>	<p>September 2023</p> <p>4 State Holiday (Office Closed)</p> <p>22 State Specific Exams</p>	<p>October 2023</p> <p>4-5 American Public Works Assoc., (APWA), Wenatchee</p> <p>18-19 Cmte. & Board Mtgs; Spokane</p> <p>26-27 NCEES Structural Exams</p>
<p>November 2023</p> <p>10 State Holiday (Office Closed)</p> <p>23-24 State Holiday (Office Closed)</p>	<p>December 2023</p> <p>6-7 Cmte. & Board Mtgs; Olympia</p> <p>25 State Holiday (Office Closed)</p>	

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